

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHUKWUMA E. AZUBUKO,

Plaintiff,

No. C 12-3247 PJH

v.

ORDER

EASTERN BANK,

Defendant.

Plaintiff Chukwuma E. Azubuko seeks an order “to nullify” the demand from the court that he pay the \$350 filing fee. The motion is DENIED. The court denied plaintiff’s request to proceed in forma pauperis, based on the sheer frivolousness of the complaint filed in this action. If plaintiff wishes to file frivolous complaints in this court, he is free to do so, but must pay the filing fee.

In a separate motion, plaintiff seeks an order convening a three-judge panel pursuant to 28 U.S.C. § 2284. Under § 2284, “[a] district court of three judges shall be convened when otherwise required by Act of Congress, or when an action is filed challenging the constitutionality of the apportionment of congressional districts or the apportionment of any statewide body.” 28 U.S.C. § 2284(a). Plaintiff has not established that any Act of Congress requires this court to convene a three-judge panel, and has not filed an action challenging the apportionment of congressional districts or of any statewide body. Accordingly the motion is DENIED.

Plaintiff also appears to be seeking reconsideration of the court’s August 15, 2012 order dismissing the complaint as frivolous pursuant to 28 U.S.C. § 1915, and an order setting aside the judgment also issued on August 15, 2012; as well as reconsideration of

1 the court's August 27, 2012 order denying plaintiff's motion pursuant to Federal Rule of
2 Civil Procedure 60(b) for relief from judgment. He also contends that the court should
3 dismiss a \$500 sanction that he claims was unlawfully imposed on him.

4 The motion is DENIED. The source of plaintiff's complaint regarding the alleged
5 sanction is unclear. The court imposed no such sanction. Perhaps plaintiff has confused
6 this case with one of the numerous other cases he has filed in courts across the land, in
7 which some judges have sanctioned him for continuing vexatious conduct. In any event,
8 the case is closed, judgment has been entered, and the court has denied plaintiff's motion
9 for reconsideration. Nothing more remains for this court to do, and the court will not
10 entertain any further motions in this case. If plaintiff believes he is entitled to other relief,
11 he must address his argument to the Ninth Circuit Court of Appeal.

12
13 **IT IS SO ORDERED.**

14 Dated: September 14, 2012



PHYLLIS J. HAMILTON
United States District Judge